

# Notice of Allowability

Application No.

09/453800

Applicant(s)

Watson

Examiner

Akers, G

Art Unit

2624

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course.

**THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/17/03.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 12/3/99 are accepted by the Examiner.
4. ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \*Certified copies not received: \_\_\_\_\_.

5. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
- (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the examiner.
- (c) ☐ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- 1 ☒ Notice of References Cited (PTO-892)
- 2 ☐ Notice of Informal Patent Application (PTO-152)
- 3 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 4 ☐ Interview Summary (PTO-413), Paper No. \_\_\_\_\_.
- 5 ☐ Information Disclosure Statement(s) (PTO-1449), Paper No(s). \_\_\_\_\_
- 6 ☐ Examiner's Amendment/Comment
- 7 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 8 ☒ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other

<b>Office Action Summary</b>	Application <u>09/453800</u>	Applicant(s) <u>Watson</u>	
	Examiner <u>Akers, G</u>	Art Unit <u>3624</u>	Confirmation No.

- The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address -

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- ☒ Responsive to communication(s) filed on 3/17/03
- ☐ This action is **FINAL**. ☐ This action is non-final.
- ☐ Since this application is in condition for allowance except for the formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

#### Disposition of Claims

- ☒ Claim(s) 1-2/ is/are pending in this application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 1-2/ is/are allowed.
- ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved or ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are ☐ accepted or ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d) or (f).
- ☐ All ☐ Some\* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- ☐ The translation of the foreign language provisional application has been received.
- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

Art Unit: 3624

## **DETAILED ACTION**

### ***Response to Appeal Brief***

1. This action is responsive to applicant's Appeal Brief(Paper #14) filed 3/17/03.
2. Applicant's arguments presented in the Appeal Brief provide sufficient explanation to delineate the novelty of the invention.
3. Claims 1-21 are under appeal.

### ***Allowable Subject Matter***

4. Claims 1-21 are allowed. The following is a statement of reasons for allowance. The instant invention provides a computer-implemented method to apply for an account based service through the network. The present invention provides a mechanism of enhancing the value of the account based service by providing selections that affect the value at increased cost. Applicants are provided with options including credit cards, insurance accounts and telecommunications accounts. The key elements which are specified in the independent claims 1, 14, 18 that differentiate the invention over prior art are:

(A)-applicant's concept provides a means for an applicant to select a number of services and options from a grouping of choices. These selected options can be combined on one credit card. Through this mechanism, the applicant may avail himself of incentives offered by the issuing institution.

Art Unit: 3624

(B)-applicant's concept is applicable to any account-based system. The system in the disclosure furnishes an adjustable medium to purchase a variety of account-based services as insurance, telecommunications, credit cards, loans, mortgages and investments.

The present invention provides a method for determining the creditworthiness of an applicant and as a result of this, provides a plurality of options from which the applicant can choose an account and for which the applicant can adjust factors associated with the account consistent with his level of satisfaction required and ability to pay. The closest prior art, DeFrancesco(US Pat. No: 5,878,403) teaches a credit application and decision routing system, while Keen(US Pat. No: 5,774,882) teaches a credit approval system and Buchanan(US Pat. No: 5,950,179) teaches a method for issuing a secured credit card. It is clear from the description of DeFrancesco's, Keen's and Buchanan's disclosures that the prior art does not address the features of "providing a baseline offer for a first account based service and providing a list of available features and receiving a first preference indicator signal associated with a first feature from the available features and adjusting the baseline offer so as to form a modified offer based on the first preference indicator signal and adjusting the first account based service so as to form a second account based service by combining the first feature onto the first account based service so as to form the second based account service and providing the first modified offer for the second account based service" as well as "a firewall module for determining security parameters and an applicant module for collecting data and a checker module for determining worthiness parameters and an account service module for receiving preference indicator signals indicative

Art Unit: 3624

of features associated with the account-based service" as described in the independent claims 1,14,18. The dependent claims are allowed because they are dependent from the allowable independent claims as addressed.

The prior art of record which does not disclose these features also includes:

-Walker(US Pat. No: 6,088,686) teaches a method for performing online credit approvals

Foreign Patent: EP 1067772A1 "Subscriber Information Managment for Broadcast Systems and Internet" Lebouill, G.(7/23/1999).

NPL:"Credit CardsPLUS.com

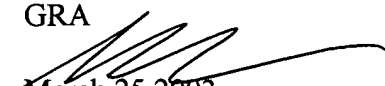
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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly laveled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

6. Any questions regarding this communication should be directed to the primary examiner, Dr. Geoffrey Akers,P.E. who can be reached at (703)-306-5844 between the hours of 6:30 AM and 5:00PM Monday through Friday. If attempts to reach the primary examiner are unsuccessful, the primary examiner's supervisor, Mr. Vincent Millin, may be telephoned at (703)-308-1065.

GRA

  
March 25, 2003

DR. GEOFFREY R. AKERS, P.E.  
PRIMARY EXAMINER